

**IN THE DRAWINGS:**

Please amend the drawings as indicated on the attached sheets:

Figure 10 has been amended herein to correct/change “CYLINER” to “CYLINDER.”

Figure 15 has been amended herein to add a label “PRIOR ART.”

Attachments:                   Annotated Sheets showing Changes (2 pages)  
  Replacement Sheets (2 pages)

## **REMARKS**

Upon entry of the present amendment, claims 1-4, 13-16 and 21-22 are pending in the application, of which claims 1 and 21 are each independent. Claims 5-12 and 17-20 have been canceled, and new claims 21-22 are being added by the present amendment.

The above-identified Office Action has been reviewed, the applied references carefully considered, and the Examiner's comments carefully weighed. In view thereof, the present amendment is submitted. It is contended that by the present amendment, all bases of rejection set forth in the final Office Action are traversed and overcome. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Applicant respectfully submits that all of the above amendments are fully supported by the original application. Applicant also respectfully submits that the above amendments do not introduce any new matter into the application, since all of the subject matter thereof was expressly or inherently disclosed in the original application, including the drawings.

### **Amendments Presented**

The Title has been amended herein to read: “WELDING METHOD [[,]] OF  
ROBOTICALLY WELDING A MOTORCYCLE FUEL TANK SYSTEM, AND WELDING JIG.”

Claim 1 has been amended to add the word “sequentially” before the phrase “bringing the attachments out of abutting engagement with the fuel tank”.

Claims 21 and 22 (dependent therefrom) have been added.

Figures 10 and 15 of the drawings have been amended to correct minor informalities.

No new matter has been added by the above amendments, as the subject matter thereof was expressly or inherently disclosed in the original specification as filed.

### **Restriction Requirement**

In item 1 of the Office Action (page 2), the Examiner has maintained the previous restriction

requirement, and has made that requirement final. Consequently, the Examiner withdrew claims 5-12 and 17-20 from consideration.

*Applicant's Response:*

Claims 5-12 and 17-20 have been canceled by the present amendment, in order to expedite prosecution of the application.

**Drawing Objections**

In item 2 of the Office Action (page 3), the Examiner objected to Fig. 15 because of a minor informality: a missing label, “PRIOR ART.” Further, in item 3 of the Office Action (pages 3-4), the Examiner also objected to Figure 10 because of another minor informality: an inadvertent spelling error (“CYLINER” instead of “CYLINDER”).

*Applicant's Response:*

Applicant has amended Figure 15 to add the missing label, as suggested by the Examiner. Applicant has also amended Figure 10 to make the appropriate correction. Again, both annotated sheets (showing changes made) and replacement sheets are enclosed herewith for the two amended Figures.

**Claim Rejections – 35 USC §103**

In item 6 of the Office Action (pages 4-6), the Examiner rejected claims 1-4 and 13-16 under 35 USC §103 as being unpatentable over JP 59-110182U in view of JP 61-162389U. The Examiner has taken the position that in his view, JP 59-110182U discloses substantially all of the features of the claimed invention *except* the use of opening/closing mechanisms (arms) for use in welding a seamless fuel tank and for gripping into the fuel inlet of the fuel tank. However, according to the Examiner, JP 61-162389U discloses a clamping apparatus for use in engaging a seamless fuel tank. Thus, the Examiner has taken the position, that in his view, it would have been obvious to modify the method for welding a motorcycle fuel tank via a plurality of attachments as disclosed by JP 59-

110182U by using the opening/closing mechanisms and gripping of the fuel inlet of the fuel tank as disclosed by JP 61-162389U in order to hold the fuel tank in a triangular manner via the fuel inlet and both side surfaces, and thus maintaining accurate positioning of the fuel tank. (JP 61-162389U, page 2 of the translation).

*Applicant's Response:*

Upon review of the applied references and the Examiner's comments, applicant respectfully traverses the above rejection and submits that the above rejection is improperly based on the use of impermissible hindsight (guided by applicant's own disclosure) and cannot be fairly gleaned from any reasonable interpretation of actual teachings of the references, and applicant further submits that the combination of the references still fails to disclose all of the required aspects/steps of the method claims.

Specifically, applicant submits that deficiencies of JP 59-110182U are not overcome by any teachings of JP 61-162389U, because the combination of the applied references (still) fail to disclose, teach, or suggest sequentially bringing the attachments out of abutting engagement with the fuel tank by operating said opening/closing mechanisms, “in an order in which the attachments are approached by a welding spot where the fuel tank is welded, as said welding spot moves along a welding line.” (See independent method claim 1.)

Relative to this, applicant notes that the applied references may disclose some elements/aspects of the withdrawn apparatus claims; however, the references, whether individually or in combination thereof, *fail to expressly disclose a method as claimed*, that can be reasonably interpreted to read on or make obvious the steps of the method claims of the present invention. The references merely disclose selected *mechanical* elements/aspects of the respective systems. As such, the Examiner's motivation for combining the references to make obvious the claimed invention is not based on any actual teachings contained within or otherwise disclosed by the

references.

Therefore, applicant respectfully submits that the rationale provided by the Examiner is unjustified, and cannot be substantiated by the actual teachings of the references. Again, the references simply fail to disclose a method similar to the claimed method according to the present invention.

Additionally, applicant submits that the applied references are merely representative of the problematic background art cited by the present application (i.e., paragraph [0006]). For example, applicant notes that each of the applied references teach a welding method where the fuel tank is relatively firmly and securely held in place, which leads to cracking, as detailed by the present application, because the thermal strains cannot be relieved during welding. Accordingly, applicant submit that the combination of the applied references also fail to achieve the stated objective of the present application of providing a welding method that reduces the effect of thermal strain caused by welding (when a fuel tank is welded), thereby preventing the fuel tank from cracking.

For all of the foregoing reasons, applicant respectfully requests reconsideration and withdrawal of the rejections of record, and allowance of the pending claims.

### New Claims

Applicant introduces new claims 21 and 22 by the present amendment. Claim 21 is a relatively narrow independent claim, introduced in an effort to specify subject matter which the Examiner will allow.

### Conclusion

Applicant respectfully submits that all of the above amendments are fully supported by the original application. Applicant also respectfully submits that the above amendments do not introduce any new matter into the application by the present amendment.

Based on all of the foregoing, applicant respectfully submits that all of the rejections set

forth in the Office Action are overcome, and that as presently amended, all of the pending claims are believed to be allowable over all of the references of record, whether considered individually or in combination. Applicant requests reconsideration and withdrawal of the rejection of record, and allowance of the pending claims.

If any issues remain unresolved, or if the Examiner feels that the prosecution of the application can be assisted by a telephone discussion, applicant respectfully requests that the Examiner telephonically contact applicant's undersigned representative to expeditiously resolve any such issues remaining in the prosecution of the application.

Favorable consideration is respectfully requested.

Respectfully submitted,



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